

Statutory Rules and Orders No. 1222 of 1935.



PLYMOUTH & DEVONPORT GARRISONS.

MILITARY LANDS.

BYE-LAWS.

Made by His Majesty's Principal Secretary of State for the War Department under the provisions of the Military Lands Acts, 1892 to 1903, for regulating the use of certain War Department Lands in the City of Plymouth and in the Parishes of Wembury, Plymstock, Egg Buckland and St. Budeaux, in the County of Devon and in the Parishes of Maker, Rame, St. Johns and Antony, in the County of Cornwall, as set out in the Schedule hereto, for the purposes to which they are appropriated, and for prohibiting all intrusion on such lands and all obstruction of the use thereof.

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OFFENCES.

1. No costermonger, hawker, pedlar, huckster, marine store or other dealer, or rag and bone and bottle gatherer or book-maker or racing or betting tout, or vendor of newspapers or any kind of literature, or vendor of refreshments, or photographer, or person engaged in any similar traffic or occupation to any one of those specified, or any tradesman or his agent or servants, unless in possession of a Pass issued under the authority of the Officer Commanding Troops, Plymouth Garrison, shall intrude, or enter, or be upon the said War Department lands for the purpose of selling, buying or trafficking or otherwise carrying on his or her or any like business or calling.

2. No person shall deposit or distribute or cause to be deposited or distributed upon the said War Department lands any handbills, literature or other printed matter of any description.

3. No person shall, without the authority of the Officer Commanding Troops, Plymouth Garrison, cause to assemble or attempt to cause to assemble, upon the said War Department lands, any number of persons or address any such persons when assembled.

4. No person, without the authority of the Officer Commanding Troops, Plymouth Garrison, shall affix any posters, bills or notices of any description in or on the boundaries or walls of the said War Department lands.

5. No person shall enter or be upon the said War Department lands for the purpose of committing a nuisance or of idling, loitering, or behaving in an indecent or disorderly manner, or for the purpose of gaming, betting or wagering.

6. No person shall enter or be upon the said War Department lands for the purpose of carrying, or of applying for permission to carry, the kits of soldiers or other persons, or of obtaining any other kind of casual employment.

7. No person shall enter or be upon the said War Department lands for the purpose of removing Cartridge Cases, lead from the Butts or any kind of metal or other material, unless duly authorised and in possession of a Pass, issued under the authority of the Officer Commanding Troops, Plymouth Garrison.

8. No person whatever shall continue on the said War Department lands after being warned off by an Officer or by any person acting under the authority of an Officer. Nor shall any vehicle, animal or thing be allowed to remain on the said lands after the owner, or the person for the time being in charge thereof, shall have been warned to remove the same by an Officer or by any person acting under the authority of an Officer.

9. No person, unless in possession of a Pass issued under the authority of the Officer Commanding Troops, Plymouth Garrison, shall camp, whether in tents, or caravans, or otherwise, or bivouac or sleep out upon the said War Department lands.

10. No person, without the authority of an Officer, shall deposit broken glass or other rubbish upon the said War Department lands.

11. No night walker or common prostitute shall locate herself in, or trespass on, or resort to the said War Department lands for the purpose of prostitution.

12. No person, without the authority of the Officer Commanding Troops, Plymouth Garrison, shall cut grass or growing crops or cut and remove turf or use the said War Department lands for the purpose of grazing any horse, cow, sheep or other animal.

13. No person, without the authority of the Officer Commanding Troops, Plymouth Garrison, shall cut or deface any growing trees or shrubs or remove any timber, trees, shrubs or wild flower roots, from the said War Department lands, nor shall any person enter or be upon the said lands for the purpose of damaging trees or other property situated on the said lands.

14. No person shall enter or be upon the said War Department lands for the purpose of pursuing or killing game or other animals or of fishing in any water within the said lands, or of digging for bait on the War Department foreshore without the authority of the Officer Commanding Troops, Plymouth Garrison.

15. No person, without the authority of an officer, shall light a fire on the said War Department lands for any purpose whatever; nor shall any person by throwing down lighted or live matches or in any other way do anything causing or tending to cause a fire to break out on the said War Department lands.

16. No person shall ride a horse or bicycle or drive any motor-car or other vehicle upon any footpath by the side of any road maintained by the War Department, and situate on the said War Department lands.

17. No driver of a hackney carriage, taxi-cab or other vehicle shall enter or be upon the said War Department lands for the purpose of plying for hire without a pass issued under the authority of the Officer Commanding Troops, Plymouth Garrison.

18. No person shall be permitted to drive a charabanc or other mechanically propelled vehicle having a carrying capacity exceeding 30 cwts. upon any road maintained by the War Department and situate on the said War Department lands nor shall any charabanc or other such vehicle be permitted to enter or be upon any such road or War Department land without a pass issued under the authority of the Officer Commanding Troops, Plymouth Garrison.

19. Subject to the restrictions contained in Bye-laws Nos. 16, 17 and 18, the public may ride any horse or bicycle or drive any horse-drawn vehicle, motor-car, motor-cycle or other mechanically propelled vehicle, having a carrying capacity not exceeding 30 cwts., on any road maintained by the War Department and situate on the said War Department land, when such road is not being used for any military purpose, but in such case :

- (i) The rider of any such horse or bicycle or the driver of any such horse-drawn vehicle, motor-car, motor-cycle or other mechanically propelled vehicle, shall, at the request of a military policeman in uniform, or of a War Department constable in uniform, or if such military policeman or War Department constable put up his hand as a signal for that purpose, stop and not proceed further until a signal to proceed is given.
- (ii) The rider of any such bicycle or the driver of any such horse-drawn vehicle, motor-car, motor-cycle or other mechanically propelled vehicle shall not ride or drive over such roads without a light between the hours of one hour after sunset and one hour before sunrise during summer time or between the hours of half-an-hour after sunset and half-an-hour before sunrise, during winter time.

The provisions of this subsection are in addition to and not in derogation of any existing statute, local or other bye-laws or regulations which may now or hereafter be in force.

RIGHTS OF WAY.

20. Nothing in these Bye-laws shall affect any public right of way, but subject as aforesaid the expression "lands" or "War Department lands" shall include all roads on such lands.

CONTRAVENTION OF BYE-LAWS.

21. Any person doing anything prohibited by or otherwise contravening any of the preceding Bye-laws numbered 1 to 19 shall be deemed to commit an offence against the Bye-law so contravened.

OFFICERS AUTHORISED.

22. The persons hereby authorised to remove or to take into custody without warrant any person committing an offence against any of the preceding Bye-laws numbered 1 to 19 or to remove any vehicle, animal or thing found on the said War Department lands in contravention of these Bye-laws are :—

- (1) The Officer Commanding Troops, Plymouth Garrison.
- (2) The Officer-in-Charge of any of the said War Department lands ;
- (3) Any Officer, Warrant Officer, Non-Commissioned Officer, or any Military Policeman or War Department constable in uniform for the time being under the command of the said Officer Commanding Troops, Plymouth Garrison, or of the said Officer-in-Charge ;
- (4) Any person authorised in writing under the hand of the said Officer Commanding Troops, Plymouth Garrison, or of the said Officer-in-Charge ; or
- (5) Any Constable.

DATE OF OPERATION OF THESE BYE-LAWS.

23. These Bye-laws shall come into force on the twenty-third day of December, One thousand nine hundred and thirty-five, on and after which date the Bye-laws in respect of Plymouth and Devonport Garrisons Military Lands dated the twentieth day of March, One thousand nine hundred and twenty-four shall be revoked.

SCHEDULE.

PLYMOUTH AND DEVONPORT GARRISONS. LANDS AFFECTED.

The War Department Lands, together with any Buildings thereon as set out in the plan referred to in Notice (2) to which the foregoing Bye-laws apply are as follows:—

(1) CITY OF PLYMOUTH.

Devonport.

- H.M. Gunwharf.
- Granby Barracks, Married Quarters, Reception Station School.
- North and South Raglan Barracks.
- C.R.E.'s House.
- Cumberland Block, R.E. Yard and Buildings and Married Quarters.
- Old Guard Room (let to Church of England Soldiers' and Sailors' Institutes).
- Military Families Hospital and Grounds.
- Brickfields.
- 8th Infantry Brigade Headquarters and land adjacent.
- Bluff Battery.
- Admiralty House, Mount Wise Cricket Ground, Tennis Courts and Parade Ground, R.A. Gun Shed and Recreation Ground.
- Raglan Cottage.
- Mount Wise Barracks, Married Quarters and Soldiers' Gardens.
- Richmond Walk.
- Married Quarters in Pembroke Street.
- Married Quarters, 6, George Street.

Bull Point.

- Bull Point Barracks and Married Quarters.
- Kinterbury House and Grounds.
- Park Cottage and Garden.
- Lands adjacent thereto bounded on the South-West by Royal Naval Ordnance Depot, on the West by the River Tamar, and on the North and East by the W.D. line of boundary stones and on the South-East by Kinterbury Road.

Plymouth.

- { The Royal Citadel.
- { Elphinstone Barracks and Land adjoining.
- { Lambhay Barracks (Territorials).

Millbay (Barracks) Land.
Drill Hall and Parade Grounds.

(2) WEMBURY.

Renny Battery.
Lentney Battery.
Lands adjacent thereto with the buildings thereon bounded on the North and East by the W.D. line of boundary stones, and on the West and South by Plymouth Sound.
Military Road from Bovisand to Lentney.

(3) PLYMSTOCK.

Bovisand Fort.
Watch-house Battery.
Brownhill Battery.
Staddon Fort.
Fort Stamford.
St. Anne's House.
Lord Howard Battery.
Lands adjacent thereto with the Married Quarters and Coastguard Cottages erected thereon, bounded on the North and East by the W.D. line of boundary stones from Bovisand Beach to Turnchapel and on the West by Plymouth Sound.

(4) EGG BUCKLAND.

Military Road from Laira to Egg Buckland.
Efford Fort.
Land surrounding same bounded on the West by the Military Road and the W.D. line of boundary stones, on the North by the W.D. line of boundary stones and the stream and on the East by the W.D. line of boundary stones, the flanking gallery and Laira Fort.
Austin Fort.
Egg Buckland Keep.
Forder Battery.
Land adjacent to Forder Battery, bounded on the North and North-East by Saltash Lane and Forder Cottage, then by line of W.D. boundary stones to Goosewell Hill, on the South-East by Goosewell Hill and on the West and South by Forder Battery Ditch.
Bowden Battery.
Land adjacent thereto, bounded on the North and West by the W.D. line of boundary stones, on the East by Saltash Lane, and on the South by Bowden Battery Ditch.

(5) CROWN HILL.

Crownhill Barracks and Drill Ground.

Officers' Tennis Ground with field adjoining, bounded on the West and North by the W.D. line of boundary stones, on the East by the Right of Way, and on the South by Egg Buckland Lane.

Taylor's Meadow and Soldiers' Gardens and Allotments adjacent to Crownhill Barracks, bounded on the West by the Plymouth-Tavistock Road, and on the East by the War Department line of boundary stones.

Land on West side of Drill Ground, bounded on the West by the W.D. line of boundary stones and on the North-East by the Tamerton Road.

Bank and land adjacent to Drill Ground on the St. Budeaux Road, bounded on the North by the W.D. line of boundary stones.

Crownhill Fort.

Lands surrounding same with Brooklands and the Officers' Quarters and Married Quarters erected thereon, bounded on the West by the Tamerton Road, on the North by the W.D. line of boundary stones, and on the East by the Plymouth-Tavistock Road.

Crownhill Hutments and Officers' Quarters'

Drill Ground adjacent to Hutments, bounded on the West by the Plymouth-Tavistock Road, on the North and East by the W.D. line of boundary stones, and on the South by Coleridge Lane.

Also Drill and Recreation Ground adjoining the Officers' Quarters, bounded on the North by Coleridge Lane and on the East and South by the W.D. line of boundary stones, and on the West by the Plymouth-Tavistock Road.

Woodland Wood at the rear of Woodland Fort, bounded on the South by Woodland Fort and W.D. line of boundary stones, on the West by footpath from Little Dock Lane to Budshead, and on the North and East by the W.D. line of boundary stones.

Quarry Field, St. Budeaux, adjoining West Park Terrace, bounded on the North by the St. Budeaux-Crownhill Road, and on the South and East by the W.D. line of boundary stones. Agaton Fort, St. Budeaux. Land adjacent thereto, bounded on the South, West, North and East by the W.D. line of boundary stones, and on the South-East by the Tamerton Road.

(6) MAKER.

No. 5 Redoubt and land surrounding same, bounded on the South by the Cremyll Road, and on the North-West and East by the W.D. line of boundary stones.

Maker Barracks, Maker Battery and Grenville Battery, and lands surrounding same, bounded on the North by the Cremyll Road, on the East and West by the W.D. line of boundary stones, and on the South by the Cawsand-Maker Road.

Hawkins Battery and Raleigh Battery and lands adjacent, bounded by the W.D. line of boundary stones.

(7) RAME.

The land at Pier Cellars, including the buildings erected thereon, bounded on the North and West by the W.D. line of boundary stones, and on the East by Plymouth Sound.

Penlee Battery and P.F. Station, including lands leased from the Earl of Mount Edgumbe for firing rights and clearance rights.

Rame Church Battery.

Knatterbury P.F. Station and land surrounding same, bounded on the South by the Military Road and on the North-West, North and East by the W.D. line of boundary stones.

(8) ST. JOHNS.

Whitesand Bay Battery and land surrounding same, bounded on the South by the Military Road, and on the West and North by the W.D. line of boundary stones and on the East by Cliff Lane.

Whitesand Bay P.F. Station and land leased from the Earl of Mount Edgumbe.

(9) ANTONY.

Tregantle P.F. Station (dismantled).

Tregantle Fort, Hutments and Rifle Ranges, Scraesdon Fort, Blerrick Farm, Scraesdon Farm and Wacker Mill, including the buildings erected thereon, Wacker Wood, Wacker and Dennybowl Mill Ponds and Wacker Creek, bounded on the West and North-West by the W.D. line of boundary stones, on the North by the St. Germans River, on the East by the Tregantle-Antony Road, Old Railway and Clampit Lane and W.D. line of boundary stones, and on the South by Whitesand Bay.

Dated this fifteenth day of November, One thousand nine hundred and thirty-five.

(Signed) HALIFAX.

His Majesty's Principal Secretary of State for the War Department.

NOTICES.

PENALTY FOR OFFENCES.

1. By Section 17 (2) of the Military Lands Act, 1892, it is provided that:—

If any person commits an offence against any Bye-law under this Act, he shall be liable, on conviction before a Court of Summary Jurisdiction, to a fine not exceeding FIVE POUNDS, and may be removed by any constable or officer authorised in manner provided by the Bye-law from the area to which the Bye-law applies, and taken into custody, without warrant, and brought before a Court of Summary Jurisdiction to be dealt with according to law, and any vehicle, animal or thing found in the area in contravention of any Bye-law may be removed by any constable or such officer as aforesaid, and on due proof of such contravention be declared by a Court of Summary Jurisdiction to be forfeited to His Majesty.

INSPECTION OF MAP SHOWING LANDS AFFECTED.

2. The lands described in the Schedule, together with the Buildings thereon, to which these Bye-laws apply, are shown on a plan which can be inspected at the Office of the Commander, Royal Engineers, Wessex Area (West), Cumberland Block, Devonport.

WHERE BYE-LAWS CAN BE OBTAINED.

3. Copies of these Bye-laws can be obtained at the Office of the Commander, Royal Engineers, Wessex Area (West), Cumberland Block, Devonport, by any person who desires to obtain the same.

Notwithstanding any fine limit mentioned in the above byelaws the current maximum fine as at 01/09/2008 is the sum of £500 being the maximum on level 2 of the standard scale.